

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

UNITED STATES OF AMERICA

V.

JORETTA JACKSON,

CRIMINAL NUMBER: 3:18-078

NOTICE PURSUANT TO
FEDERAL RULE OF EVIDENCE
404(b)

The government maintains that the below is not evidence contemplated by Federal Rule of Evidence 404(b). Rather, it is information that is a part of the *Res Gestae* of the case. The information is necessary for the government to explain the steps involved in the investigation into Ms. Jackson. However, to the extent the court deems the evidence as prior bad acts as contemplated by the rule, the government hereby gives notice of its intent to introduce pursuant to FED. R. EVID. 404(b) evidence of other crimes, wrongs, or acts committed by the defendant Joretta Jackson. Specifically, the government intends to introduce specific evidence concerning a Jackson's prior involvement in a fraudulent scheme prosecuted by state authorities in New York. The government contends that Jackson was involved in soliciting and collecting funds from other individuals under a fraudulent pretext. She then forwarded the funds to other individuals that were prosecuted by New York authorities. While the government acknowledges Jackson was not prosecuted for the offenses in New York, evidence of her involvement was part of the investigation into her federal charges.

As previously briefed by the government and defense, *Marinello v. United States*, 138 S.Ct. 1101 (2018) requires the government to show a specific interference with targeted governmental tax-related proceedings, such as a particular investigation or audit. Evidence into the inquiry of

the New York based fraud is therefore a necessary part of the government's burden of proof as it was a part of the IRS investigation into Jackson. Further, the government argues that evidence of the New York fraud shows preparation, plan, intent, opportunity, motive and the absence of mistake or accident on the part of the Jackson and is admissible under FED. R. EVID. 404(b).

This notice is intended only to provide notice of the general nature of the evidence that the government intends to introduce pursuant to FED. R. EVID. 404(b). Counsel for the Defendant may contact the undersigned Assistant United States Attorney for more specific information concerning the nature and use of such evidence.

The United States reserves the right to amend or supplement this notice.

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